



December 3, 2021

Rebecca Beissel, Village President
130 N Chestnut Street
Ellsworth, WI 54011

Subject: Conditional approval of a multi-discharger phosphorus variance
Receiving Stream: Isabelle Creek in Pierce County
Permittee: Village of Ellsworth, WPDES WI-0021253

Dear Ms. Beissel:

In accordance with s. 283.16 of the Wisconsin Statutes, you have requested coverage under Wisconsin's multi-discharger phosphorus variance for the Ellsworth Wastewater Treatment Facility in an application dated 12/31/2020. Wisconsin's multi-discharger phosphorus variance was approved by EPA on February 6, 2017. Coverage under the multi-discharger phosphorus variance may only be granted to an existing source that demonstrates a major facility upgrade is necessary to achieve phosphorus compliance and the upgrade will result in economic hardship as defined in the federally approved variance. The water quality criterion for which you are seeking a variance is contained in s. NR 102.06, Wis. Adm. Code.

After review of the application materials, the Department is tentatively approving coverage under the phosphorus multi discharger variance because the applicant has demonstrated that a major facility upgrade would be required to comply with the phosphorus water quality based effluent limitation, and the applicant meets the economic hardship eligibility criteria delineated in the federally approved variance. In addition, the permitted facility has agreed to comply with the interim limitations that will be included in the WPDES permit, and has agreed to reduce the amount of phosphorus entering surface waters by entering into a binding, written agreement with another person under which the permittee constructs a project or implements a plan to make annual reduction of phosphorus pollution pursuant to s. 283.16(6)(b)3., Wis. Stats.

The November 2021 MDV Watershed Plan, submitted by Davy Engineering on behalf of the Village of Ellsworth, indicates streambank stabilization projects will ultimately curtail 517 lbs/yr of phosphorus entering surface waters of the State. A subset of these projects has been installed in 2021, and all projects are expected to be installed by July 2022. The MDV watershed plan is assigned the tracking number MDV-2021-0001 and will be referenced as such in your WDPES permit.

Public comment on this decision will be solicited at the time of permit reissuance after which a final decision will be made. The Department appreciates your attention and interest in Wisconsin's multi-discharger phosphorus variance. Should you have further questions regarding this matter, please contact me at matthew.claucherty@wisconsin.gov.

Sincerely,

Matt Claucherty, MDV Point Source Coordinator
Bureau of Water Quality

Attachment

e-cc Greg Engeset, Village of Ellsworth
 Tim Stockman, Davy Engineering
 Holly Heldstab, WDNR
 Adebowale Adesanwo, WDNR
 Benjamin Hartenbower, WDNR
 Tim Elkins, EPA Region 5
 Sydney Weiss, EPA Region 5
 Micah Bennett, EPA Region 5